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Attorneys for Plaintiffs SHAWN  
MCCARTY, FABIAN GUERRERO, and  
DAVID BABCOCK, individually, and on  
behalf of others similarly situated

**UNITED STATES DISTRICT COURT**

**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

SHAWN MCCARTY, an individual,  
FABIAN GUERRERO, an individual,  
and DAVID BABCOCK, an  
individual, on behalf of themselves  
and all others similarly situated,

Plaintiffs,

vs.

SMG HOLDINGS I, LLC, a Delaware  
limited liability company; SMG  
HOLDINGS II, LLC, a Delaware  
limited liability company; SMG, a  
general partnership; and DOES 1  
through 50, inclusive,

Defendants.

Case No. 3:17-cv-06232-JD

Assigned to Hon. James Donato

**NOTICE OF SETTLEMENT**

Trial Date: January 13, 2025

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT the Parties have agreed to the basic terms  
3 of a proposed settlement, subject to their entering into a more detailed long-form  
4 settlement agreement. The proposed settlement will resolve Plaintiffs' remaining  
5 individual claims in the instant matter in their entirety. At this time, the Parties are  
6 in the process of preparing the long-form settlement agreement.

7 After the agreement is executed and the settlement has been fully funded,  
8 Plaintiffs intend to file a proposed judgment.

9 In light of the settlement, Plaintiffs respectfully request that the Court vacate  
10 all upcoming hearing dates and deadlines, including the Pretrial Conference on  
11 **January 2, 2025** and Trial on **January 13, 2025**.

12  
13 DATED: December 30, 2024

**MATERN LAW GROUP, PC**

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15 By: /s/Irina A. Kirnosova

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